

*Cory Spencer, etc., et al. v. Lunada Bay Boys, etc., et al.*

Case No. 2:16-cv-02129-SJO-RAO

**Exhibit 1**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

CORY SPENCER, an individual; ) Case No.  
DIANA MILENA REED, an ) 2:16-cv-02129-SJO-RAO  
individual; and COASTAL )  
PROTECTION RANGERS, INC., a )  
California non-profit public )  
benefit corporation, . )

Plaintiffs, )

v. )

LUNADA BAY BOYS; THE )  
INDIVIDUAL MEMBERS OF THE )  
LUNADA BAY BOYS, including )  
but not limited to SANG LEE, )  
BRANT BLAKEMAN, ALAN JOHNSTON )  
aka JALIAN JOHNSTON, MICHAEL )  
RAE PAPAYANS, ANGELO FERRARA, )  
FRANK FERRARA, CHARLIE )  
FERRARA and N.F.; CITY OF )  
PALOS VERDES ESTATES; )  
CHIEF OF POLICE JEFF KEPLEY, )  
in his representative )  
capacity; and DOES 1-10, )

Defendants. )

DEPOSITION OF CORY ELTON SPENCER  
Los Angeles, California  
Tuesday, October 11, 2016

Reported by:  
Carmen R. Sanchez  
CSR No. 5060

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CENTRAL DISTRICT OF CALIFORNIA  
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Defendants. )

Deposition of CORY ELDON SPENCER, taken  
on behalf of defendants, at 777 South Figueroa Street,  
Suite 4550, Los Angeles, California, beginning at  
10:01 a.m. and ending at 6:35 p.m., on Tuesday,  
October 11, 2016, before Carmen R. Sanchez,  
Certified Shorthand Reporter No. 5060.

1 APPEARANCES (CONTINUED):

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Continued ....

1 A I -- I don't recall.

2 Q Were there people surfing there?

3 A It's when I was 15. I don't remember.  
4 I'm sorry.

5 Q No, that's fine.

6 Did -- the conversation -- sorry to go  
7 back and forth, but the conversation between Sang Lee  
8 and Chris Taloa, did you -- do you believe that  
9 Sang Lee raised his voice at any point in time?

10 A It -- it wasn't raising a voice and it  
11 wasn't -- it wasn't an argument. It wasn't a conflict,  
12 no.

13 MS. LUTZ: Okay. No further questions at this  
14 time. Thank you.

15

16 EXAMINATION

17 BY MR. HAVEN:

18 Q Hello, Mr. Spencer. Peter Haven. I'll  
19 try to make this as brief as possible.

20 You indicated earlier that you had  
21 looked at some videos, and I assume that these --

22 MR. FRANKLIN: Would you mind? He doesn't know  
23 who everybody represents.

24 MR. HAVEN: Oh, I apologize. Michael Papayans.

25 MR. FRANKLIN: I didn't mean to interrupt you.

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1 MR. HAVEN: That's all right. I got carried  
2 away. Do you need me to come down there? I'll come  
3 down there. I apologize. I represent  
4 Michael Papayans.

5 Q You indicated earlier that you had  
6 looked at some videos. Could you describe for me the  
7 videos that you looked at? And I assume that these are  
8 videos depicting alleged Bay Boy incidents?

9 A So, videos I can remember, there's  
10 several. There's videos with Mr. Lee's voice. It was  
11 an undercover video shot by -- I don't know who.  
12 There's videos of -- I believe it was back in the '80s  
13 of a young kid being -- I don't think he was -- I don't  
14 think he was -- basically, being told that he's not  
15 allowed to surf there, and I think his uncle or  
16 somebody was in there. I don't remember.

17 Q And that was a video -- I'm sorry. That  
18 was a video back in the '80s?

19 A I think so.

20 Q Okay. Thank you.

21 A There's a video -- and I'm not sure when  
22 this was taken, but there's a video of a male hitting  
23 several times another male, you know, in the head.  
24 What other videos? Other videos of guys walking on the  
25 beach and, basically, getting asked the same questions

1 on, you know, why -- why they're here -- undercover  
2 videos, but I don't know the sources or anything. I  
3 did see them.

4 Q As you sit here right now, any other  
5 videos that you recall seeing?

6 A Not at this time.

7 Q Do you know who Michael Papayans is?

8 A I know that's a name that's popped up a  
9 lot in Lunada Bay. I know he's allegedly a Bay Boy,  
10 and I've heard it but ...

11 Q I'm sorry. Go ahead. Are you finished?

12 A I'm finished.

13 Q Thank you.

14 To your knowledge, have you ever seen  
15 Michael Papayans?

16 A Not that I can recall.

17 Q To your knowledge, have you ever seen  
18 one of the other defendants named in this case,  
19 Alan Johnston?

20 A I don't know if I've seen him or not.

21 Q These incidents that you've described at  
22 Lunada Bay, it appears that you were able to identify  
23 by name two individuals, and you've talked about them  
24 today, Mr. Blakeman and Mr. Lee.

25 Now, just so I understand correctly,

1 that was with Mr. Taloa's assistance?

2 A You mean in identifying them?

3 Q Yeah, putting names to faces.

4 A Correct.

5 Q Okay.

6 Has anybody ever pointed out to you by  
7 name any other people you've seen in a video or any  
8 other people that you recall interacting with at  
9 Lunada Bay?

10 A Anybody outside of Chris Taloa?

11 Q Yeah. I don't want to invade  
12 attorney-client privilege. If your attorneys have  
13 identified somebody, then, I'll just leave it at that;  
14 but outside of attorney-client communications, has  
15 anybody pointed out someone and said, "That's  
16 so-and-so"?

17 A Not that I can recall.

18 Q To your knowledge, do you know if  
19 Michael Papayans had any involvement in these  
20 Lunada Bay incidents that you've described here today  
21 that you were personally involved with?

22 A I don't know if he was there when I was  
23 there. I couldn't answer that.

24 Q Okay. And the same question as to  
25 Alan Johnston.



1 A Same answer.

2 Q Can you describe the individual who ran  
3 over you with the surfboard?

4 A Yes.

5 Q Could you give us a description of him,  
6 please?

7 A Male, white; approximately, six foot;  
8 185 to 200; dark hair; wetsuit.

9 Q Any estimate as to his age?

10 A I think mid-40s to mid-50s, somewhere in  
11 there.

12 MR. HAVEN: Okay. I don't think I have any  
13 other questions. Let me pause here and think for a  
14 moment. I don't think I do.

15 MS. HEWITT: That was quick.

16 MR. HAVEN: Thank you very much.

17 MR. FRANKLIN: Anybody else have questions?

18 MR. WORGUL: I have two follow-ups.

19 THE WITNESS: Can we just get some water?

20 MS. HEWITT: Yes.

21 THE WITNESS: Take a break? Give me five  
22 minutes.

23 MR. WORGUL: Of course.

24 (A recess was taken at 6:09 p.m.  
25 until 6:13 p.m.)

1  
2  
3  
4 \*\*\*

5  
6 I do solemnly declare under penalty of  
7 perjury, under the laws of the State of California,  
8 that the foregoing is my deposition under oath; that  
9 these are the questions asked of me and my  
10 answers thereto; that I have read same and have made  
11 the necessary corrections, additions, or changes to  
12 my answers that I deem necessary.

13 In witness thereof, I hereby subscribe my  
14 name this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

15  
16  
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19 \_\_\_\_\_  
20 Witness Signature  
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Certification of Court Reporter

Federal Jurat

I, the undersigned, a Certified Shorthand Reporter of the State of California do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

That before completion of the deposition, a review of the transcript [X] was [ ] was not requested.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: October 21, 2016



Carmen R. Sanchez

CSR No. 5060